

**FOLEY & LARDNER LLP
ATTORNEYS AT LAW**

WASHINGTON HARBOUR
3000 K STREET, N.W., SUITE 500
WASHINGTON, D.C. 20007-5143
TELEPHONE: 202.672.5300
FACSIMILE: 202.672.5395
WWW.FOLEY.COM

FACSIMILE TRANSMISSION**Total # of Pages 3 (including this page)**

TO:	PHONE #:	FAX #:
Examiner Canella USPTO	571-272-0828	571-273-0828

From : Amy D. Mason
Assistant to Jacqueline D. Wright Bonilla

Date : June 21, 2005

Client/Matter No : 053466-0201

User ID No : 3401

MESSAGE:

Examiner Canella:

Per our telephone conversation, please find attached a Declaration Under 35 U.S.C. §1.132 discussing the deposit certificate. If you need any further documents, please do not hesitate to contact our office.

Thank you,

Amy Mason
Assistant to Jacqueline D. Wright Bonilla

If there are any problems with this transmission or if you have not received all of the pages, please call 202.672.5340.

Operator:	Time Sent:	Return Original To: Amy D. Mason
-----------	------------	-------------------------------------

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Attorney Docket No. 053466/201**

In re patent application of

Tadamitsu KISHIMOTO *et al.*

Group Art Unit: 1642

Serial No. 08/817,507

Examiner: J. Reeves

Filed: April 17, 1997

For: PHARMACEUTICAL COMPOSITION FOR TREATMENT OF
DISEASES CAUSED IL-6 PRODUCTION**DECLARATION UNDER 35 U.S.C. § 1.132**

The undersigned inventor declares that he made the deposit of the hybridoma PM-1 at the National Institute of Bioscience and Human-Technology, Agency of Industrial Science and Technology, Ministry of International Trade and Industry, 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken 305, Japan, a Budapest Treaty recognized depository which affords permanence of the deposit, as FERM BP-2998 on July 10, 1990. A copy of the deposit receipt is enclosed for convenience.

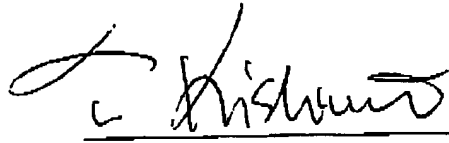
Applicant states that the deposited hybridoma PM-1 is the hybridoma which is specifically identified in this application as filed. Applicant further provides that during the pendency of the patent application access to the deposited hybridoma will be allowed to those persons properly designated by the Commissioner of Patents and Trademarks; that the deposited hybridoma will be replaced should it die or be destroyed during the enforceable life of any patent issued out of this patent application, for five years after the last request for a sample of the deposited hybridoma or for thirty years, whichever is longer; that upon issuance of a patent, applicant will irrevocably remove all restrictions to access to the hybridoma for the duration of the deposit; and that maintenance charges for the duration of the deposit will be paid.

All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; further, these statements are made with the

U. S. Serial No. 08/817,507

knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the instant patent application or any patent issuing thereon.

June 14, 1999
Date


Dr. Tadamitsu Kishimoto

国際様式 INTERNATIONAL FORM

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

〔特許手続上の微生物の寄託の国際的承認に関するブダペスト条約〕

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

下記国際寄託当局によって規則 7. 1 に従って発行される。

Issued pursuant to Rule 1.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page.

原寄託についての受託証

氏名 (名称)

岸本 忠三

寄託者

設

あて名

⑤ 584

大阪府富田赤市中野町3丁目5番31号

I. 微生物の表示

(寄託者が付した識別のための表示)

PM1

(受託番号)

微生物研究系 2998 号

(FERM BP-2998)

II. 科学的性質及び分類学上の位置

I 欄の微生物には、次の事項を記載した文書が添付されていた。

☐ 科学的性質

☒ 分類学上の位置

III. 受領及び受託

本国際寄託当局は、平成 元年 7月12日 (原寄託日) に受領した I 欄の微生物を受託する。

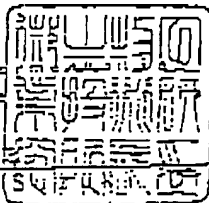
平成 元年 7月12日に寄託された微生物研究系 P-10839 一号より移す)

IV. 国際寄託当局

通商産業省工業技術院微生物工業技術研究所

名称:

Agency



Research Institute
Science and Technology

所長 鈴木 智

Tomoo

DIRECTOR GENERAL.

あて名: 日本国茨城県つくば市夏1丁目1番3号 (郵便番号 305)

1-3, Higashi 1 chome Tsukuba-shi Ibaraki-ken

305, JAPAN

平成 2年 (1990) 7月 10日